



Andrey Strutinskiy &lt;astrutinskiy@chittur.com&gt;

**Serin -- depositions**

4 messages

**Jennifer Nigro** <jnigro@mosessinger.com>

Wed, Oct 13, 2010 at 7:26 PM

To: Krishnan Chittur &lt;kchittur@chittur.com&gt;, Keith Altman &lt;kaltman@lawampmmt.com&gt;

Cc: Andrey Strutinskiy &lt;astrutinskiy@chittur.com&gt;, Robert Lillienstein &lt;RLillienstein@mosessinger.com&gt;, "Scott E. Silberfein" &lt;SSilberfein@mosessinger.com&gt;

Kris and Keith: please review the enclosed. Also, do you intend to drop Ms. Kettler from the action at this point -- given that she never appeared for deposition in the case and that we are so close to trial? Please let us know either way.

Regards

Jen

**From:** [ecopy@mosessinger.com](mailto:ecopy@mosessinger.com) [mailto:[ecopy@mosessinger.com](mailto:ecopy@mosessinger.com)]**Sent:** Wednesday, October 13, 2010 6:49 PM**To:** Jennifer Nigro; Robert Lillienstein; Richard Zuckerman**Subject:** Scanned document from [ecopy@mosessinger.com](mailto:ecopy@mosessinger.com)**IRS CIRCULAR 230 DISCLOSURE:**

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 **2010-10-13 letter from JN to KC and KA re depositions.PDF**  
72K**Krishnan Chittur** <kchittur@chittur.com>

Wed, Oct 13, 2010 at 8:06 PM

To: Jennifer Nigro &lt;jnigro@mosessinger.com&gt;

Cc: Keith Altman &lt;kaltman@lawampmmt.com&gt;, Andrey Strutinskiy &lt;astrutinskiy@chittur.com&gt;, Robert Lillienstein &lt;RLillienstein@mosessinger.com&gt;, "Scott E. Silberfein" &lt;SSilberfein@mosessinger.com&gt;

Ms. Nigro:

1. We are not authorized to accept service for these third party witnesses.
2. You have not yet given us a) a date for Jay Cohen's deposition; and (b) the name or date of the continued Custodian of Records deposition. Please attend to this immediately.

3. Re. Dr. Smith, you gave us the list of seven cases just two days ago, and Dr. Smith's office will do what they can to get you the list as soon as they can. You have refused to accept service by email, so you will have to wait for the hard copies. Moreover, we do not know Dr. Smith's availability, and cannot confirm the 25th until then.

4. With respect to your issue about the number of depositions, YOU named several of these witnesses belatedly, just last week, and this appears to be an attempt to blindside us at trial. We cannot and will not remove any of them from the list. If you insist that we seek leave of Court, we will do so. Please let us know by 8:00 a.m. tomorrow morning whether you consent to these depositions, or otherwise will not produce these witnesses. If we do not hear from you, we will move the Court for orders and for sanctions.

Yours truly,  
K. Chittur, Esq.  
Chittur & Associates, P.C.  
286 Madison Avenue Suite 1100  
New York, New York 10017  
Tel: (212) 370-0447

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**Jennifer Nigro** <jnigro@mosessinger.com>

Wed, Oct 13, 2010 at 8:43 PM

To: "kchittur@chittur.com" <kchittur@chittur.com>

Cc: "kaltman@lawampmmt.com" <kaltman@lawampmmt.com>, "astrutinskiy@chittur.com" <astrutinskiy@chittur.com>, Robert Lillienstein <RLillienstein@mosessinger.com>, "Scott E. Silberfein" <SSilberfein@mosessinger.com>

1. Ok
2. Yes we have on both -- I suggest you talk to Mr Altman.
3. If you want to ignore a Court imposed deadline, that's your call. We provided the list on the date ordered.
4. I would not have addressed the issue with Mr. Altman in good faith or written my letter of today if we did not intend to adhere to the limits under the Rules. So you need not wait until 8 am tomorrow for an answer.

Regards,

Jen

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**From:** Krishnan Chittur

**To:** Jennifer Nigro

**Cc:** Keith Altman ; Andrey Strutinskiy ; Robert Lillienstein; Scott E. Silberfein

**Sent:** Wed Oct 13 20:06:54 2010

**Subject:** Re: Serin -- depositions

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